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SERVICE DATE - MAY 15, 2001

SURFACE TRANSPORTATION BOARD

CERTIFICATE OF INTERIM TRAIL USE OR ABANDONMENT

STB Docket No. AB-564

CAMAS PRAIRIE RAILNET, INC.– ABANDONMENT–IN LEWIS, NEZ PERCE,
AND IDAHO COUNTIES, ID
(BETWEEN SPALDING AND GRANGEVILLE, ID)

Decided: May 9, 2001

On September 13, 2000, a decision and certificate of interim trail use or abandonment (CITU) was served, authorizing a 180-day period for the Nez Perce Tribal Executive Committee (the Nez Perce) to negotiate an interim trail use/rail banking agreement with Camas Prairie RailNet, Inc. (CSPR), for the 66.8-mile line of railroad known as the Grangeville Line, or Second Subdivision, extending from milepost 0.00 near Spalding, ID, to milepost 66.8 (end of track) near Grangeville, ID, in Lewis, Nez Perce, and Idaho Counties, ID. The 180-day period under the CITU was scheduled to expire on March 12, 2001. By a decision served on that date, the negotiating period was extended to June 10, 2001.

On April 25, 2001, Camas Prairie Trail Conservancy (the Conservancy) filed a pleading styled a “Statement of Willingness to Assume Financial Responsibility.” In its pleading, the Conservancy indicates that, whereas the Nez Perce were willing to assume responsibility for a trail running over only a portion of the line, the Conservancy has entered into an agreement with CSPR under which it will establish a trail over the entire length of the line. The Conservancy has submitted a statement of willingness to assume financial responsibility for the right-of-way and acknowledged that use of the right-of-way is subject to possible future reconstruction and reactivation of the right-of-way for rail service, as required under 49 CFR 1152.29. The Conservancy requests issuance of a CITU.

A CITU will be issued here to authorize the Conservancy to negotiate with CSPR and to serve as a trail user. The Conservancy’s request will therefore be granted. No agreement between CSPR and the Nez Perce has apparently been reached. The Conservancy has met the Board’s requirements and has entered into an agreement with CSPR. Accordingly, the former may implement trail use without further action by the Board other than the authorization contained in this CITU.

The Conservancy is reminded that, if it subsequently intends to terminate trail use, it must send the Board a copy of this CITU and request that it be vacated on a specified date.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The request for issuance by the Board of a CITU is granted.
2. Camas Prairie Trail Conservancy may implement interim trail use on the subject line.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary